



Docket No. 476-2004

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

Gp # 2666  
Response # 7  
1-15-03  
Box AF  
Witcher

In the application of : C M Purse  
Serial No. : 09/276,080  
Filed : March 25, 1999  
For : Method and Apparatus for Communicating Information  
Examiner : F Duong  
Art Unit : 2666

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, Washington DC 20231, Box AF, on December 30, 2002.

Name of person signing: Kathy Kurek  
Signature \_\_\_\_\_

*Kathy Kurek*

**RESPONSE**

**RECEIVED**

**JAN 07 2003**

**Technology Center 2600**

Honorable Director of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir,

In response to the Office Action mailed October 28, 2002, the following comments are made:-

No amendments are being filed. The single issue which governs all the rejections is whether claim 1 is anticipated by Martin. In the previous response, the applicant argued that all the independent claims 1, 5, 10, 11, 12, and 14, related to a system or parts of a system that involves "transporting a supercarrier signal over a network span" in which the supercarrier is demultiplexed "into a plurality of trib signals" and the "trib signals" are transmitted "over said network span" whereas Martin only shows a system which does the opposite. In Martin, the trib

signals are multiplexed into a supercarrier signal for transmission and demultiplexed at the far end. The Examiner argued that Figure 6 and the summary of the invention in Martin do show the scheme of the present invention. A more detailed analysis of the disclosure of Martin now follows.

Claim 1 specifies that after demultiplexing, there is a step of "transmitting the trib signals over said network span...". This can only mean the trib signals are transmitted over the same span, to reach the same network node. Figure 6 of Martin does not show this step. It shows multiplexing trib signals using block 40, transmitting them as a supercarrier over span 30, and demultiplexing at block 50 to recover the trib signals. This figure could only show the claim feature if the trib signals at the right hand side of figure 6 were to be transmitted onwards over the same network span to the same destination. This is not shown in the figure and the associated text does not give any hint that the trib signals are all transmitted to the same destination. Indeed claim 1 of Martin refers to a plurality of trib networks, which implies the tribs do not share the same nodes. Lines 1 and 2 of col 4 indicate that figure 6 shows the multiplexer/demultiplexer for the "nailed up" OC192 option, which can only be a reference to Figure 5C, which is likewise concerned with outputting to separate individual trib systems. It would make no sense to have the tribs all going to the same destination in Martin, since the purpose of the tribs is to enable distribution of different signals to different destinations, and Martin would multiplex them onto a supercarrier if they were all to go to the same destination.

Claim 1 also specifies "transparently demultiplexing.... into a plurality of trib signals...whereby the messaging information required to maintain said first protocol is included in said trib signals.". The purpose of this is to enable the supercarrier signal which uses the first protocol, to be reconstructed after it is transmitted in demultiplexed form in the trib signals. An example of the messaging information is Automatic Protection Switching APS byte K1 and K2 which are inserted into spare bytes of the trib signals (page 7 lines 26-29 of the present application). In Martin, this is not needed since the output trib signals are

never used to reconstruct the original supercarrier signal. The Examiner nevertheless asserts in item 1 that this claim feature is shown in Martin, at col 7 lines 48-60 and col 12 line 62-col 13 line 3. The first of these passages indicates that APS bytes of the trib systems are passed through unaltered by the process of multiplexing onto the supercarrier and demultiplexing afterwards. The second cited passage indicates that the demultiplexer 50 takes the TOH (Transport Overhead) for the received supercarrier, and uses it to generate, or passes it through into, the TOH for the trib signals. Notably, in Table 2 of Martin, it is shown that the APS bytes are passed through by the multiplexer 40 of Fig 6, so presumably, these bytes are passed through by the demultiplexer 50. This means in Martin, effectively, the messaging information (e.g. APS bytes) required to maintain the second protocol (trib signals) is included in the first protocol or supercarrier. This is not the same as the claimed feature as will now be explained.

Because the demultiplexing in Martin passes through the APS bytes into the TOH, rather than using spare bytes, this means that intermediate nodes can manipulate the APS bytes. This means the original APS information can be lost, and so if the tribs were remultiplexed, it would be unknown whether the APS bytes were correct in the sense of being the original APS bytes. This means the demultiplexing of Martin is not done "transparently", as is explicitly claimed in claim 1. The term "transparently" means the demultiplexed signals must be in a form which enables remultiplexing without loss of information. This clearly does not happen in Martin, since the messaging information required to maintain the first protocol can be lost, and can never be relied on as being correct.

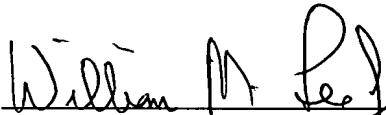
For these reasons, Claim 1 is not anticipated by Martin. As there is no suggestion in Martin of the distinctive features, nor the advantages which arise, the claim is not obvious over this reference taken alone or in combination with any other prior art. Independent claims 5, 10, 11, 12 and 14 all have corresponding distinctive features and so are allowable for the same reasons. The rejections of depending

claims all fall away as they depend on allowable main claims, regardless of whether they are allowable for other reasons.

All the points raised by the Examiner have been dealt with and so favorable reconsideration is requested.

Respectfully submitted,

Date: December 26, 2002

  
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